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ATTACHMENT

PATENT

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I hereby certify that this correspondence is being deposited via facsimile to Mail Stop Non-Fee Amendment, Commissioner for Patents, Alexandria, VA 22313-1450, Technology Center 3764 Attention: Azadeh Kokabi, at fax number 703 872 9306 on February 6, 2004

Jane A. Walker February 6, 2004
Jane A. Walker Date

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Serial No: 10/091,849
Filed: March 6, 2002
Confirmation No.: 8604
Applicant: Steven T. Boyce
Title: **APPARATUS FOR PREPARING A BIOCOMPATIBLE MATRIX**
Art Unit: 3764
Examiner: Kokabi
Att'y Dock: CUT-02

Cincinnati, Ohio 45202

February 6, 2004

Commissioner for Patents
P.O. Box 1450
Alexandria VA 22313-1450

Sir:

ELECTION AND PRELIMINARY AMENDMENT

In response to the Office Action mailed January 9, 2004 in the above-referenced application, applicant elects with traverse Group I. Applicant notes that claims 40-42, drawn to an apparatus, have been erroneously listed with Group II method claims. Applicant thus respectfully requests that the Election include claims 1-5, 11, 18-26, 33-34, and 40-42.

As requested by the Examiner, applicant elects species B, as depicted in figure 1D.

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Amendment to the Specification begins on page 3 of this paper.

Amendments to the Claims begins on page 4 of this paper.

Remarks begin on page 14 of this paper.